BILL NO. Z-80-11-07 (AS AMENDED)

ZONING MAP ORDINANCE NO. Z-Lash

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P-7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an "R-3" District under the terms of Chapter 33, The Code of the City of Fort Wayne, Indiana of 1974; and the symbols of the City of Fort Wayne Zoning Map No. P-7, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

Lot Number 31 and Lot Number 32 in Pontiac Place Addition to the City of Fort Wayne, Allen County, Indiana.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

_____
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

_____
JOHN E. HOFFMAN, City Attorney

BILL NO. Z-80-11-07

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P-7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-A District under the terms of Chapter 33, The Code of the City of Fort Wayne, Indiana of 1974; and the symbols of the City of Fort Wayne Zoning Map No. P-7, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

Lot Number 31 and Lot Number 32 in Pontiac Place Addition to the City of Fort Wayne, Allen County, Indiana.

SECTION 2. That this Ordinance shall be effective upon passage, approval by the Mayor and legal publication thereof.

COUNCILMAN

APPROVED AS TO FORM AND LEGALITY NOVEMBER , 1980.

JOHN E. HOFFMAN, City Attorney

Read the first time in full and on motion by Eisbart, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee Regulation (and the City Plan Commission for recommendation) and ~~Public Hearing~~ to be held after due legal notice, ~~at the Council Chambers, City-County Building~~, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock ____ M.,E.S.T.

DATE: 11-25-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Gia Quinta, seconded by V. Schmidt, and duly adopted, placed on its passage. ~~PASSED~~ (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	2	7			
BURNS	X	~~X~~			
EISBART		X			
GiaQUINTA		X			
NUCKOLS		X			
SCHMIDT, D.	X	~~X~~			
SCHMIDT, V.		X			
SCHOMBURG		X			
STIER		X			
TALARICO		X			

DATE: 1-27-81

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.

ATTEST: (SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M.,E.S.T.

_____
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this _____ day of 19____, at the hour of _____ o'clock ____ M.,E.S.T.

_____
WINFIELD C. MOSES, JR.
MAYOR

Held until 1 week Jan. 27.

BILL NO. Z-80-11-07 (AS AMENDED)

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. P-7

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE NOT PASS.

MARK E. GiaQUINTA, CHAIRMAN — Mark E. GiaQuinta

SAMUEL J. TALARICO, VICE CHAIRMAN — Samuel J. Talarico

VIVIAN G. SCHMIDT

JAMES S. STIER — James S. Stier

DONALD J. SCHMIDT

CONCURRED IN

DATE 1/27/81 CHARLES W. WESTERMAN, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 25, 1980, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-80-11-07; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been puslished as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on December 15, 1980;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

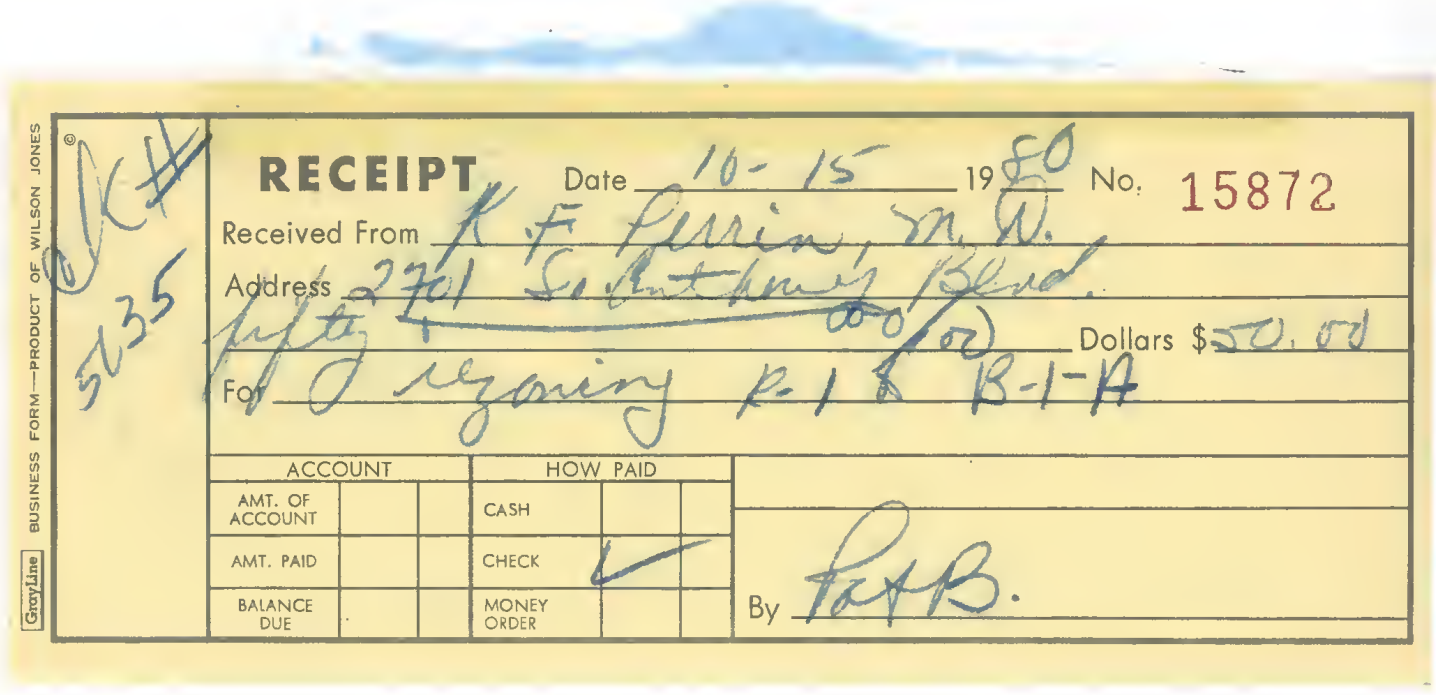
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 22, 1980.

Certified and signed this
9th day of January 1981.

T. Joyce Schlatter

Joyce Schlatter
Secretary



BUSINESS FORM—PRODUCT OF WILSON JONES

GrayLine

ok #

5635

RECEIPT Date 10-15 1980 No. 15872

Received From K. F. Perrin, M. D.

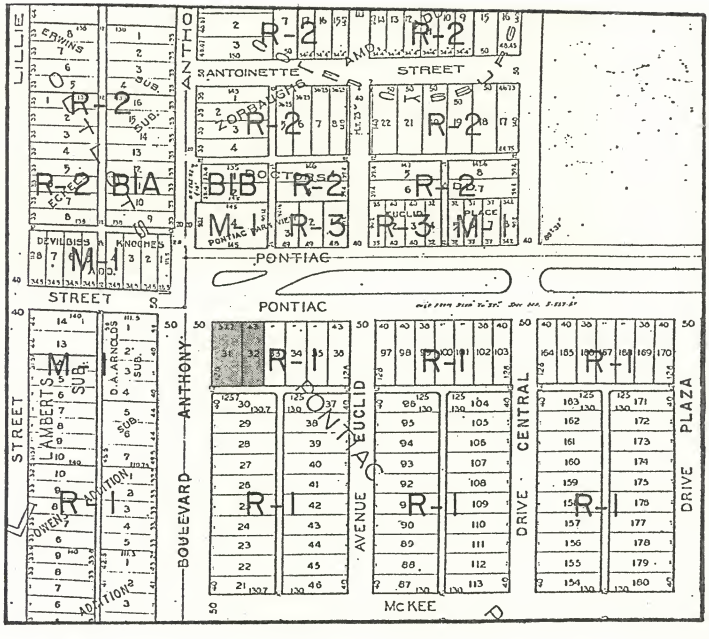
Address 2701 So. Anthony Blvd.

fifty + 00/00 Dollars $50.00

For rezoning R-1 & B-1-A

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	✓	
BALANCE DUE			MONEY ORDER		

By Pat B.



ZONING RECLASSIFICATION FROM AN R-1 TO AN BIA DISTRICT.

Z-80-11-07

MAP NO. P-7

BY G.R. LAX 10-17-80

PETITION FOR ZONING ORDINANCE AMENDMENT

Attachment #1

The above described property, fronting on Pontiac Street, under its present zoning classification imposes hardship upon the owner in that it is not marketable, today, as a Doctor's Office. The trend of doctors grouping together in clinical settings (more than one doctor) has made "lone practices" rare, if not antiquated. A clinical operation at that location would be in violation of present zoning.

From Winter Street along Pontiac Street, east to Adams Street, over eighty (80%) percent of the Pontiac Street frontage from both sides of Pontiac Street is zoned from "B1A"-limited business to "M3"-heavy industry, with only about twenty (20%) percent of same Pontiac Street frontage classified R1 - single family or R2 - two family residence.

The fact that this property is so situated as described above with more than eighty percent of Pontiac Street frontage other than R1-single family classification makes this property very undesireable as a single family residence.

This property, under its present zoning classification cannot be utilized at its highest and best use causing hardship to the owner who finds it difficult to realize an equitable value from the present use nor to utilize a more equitable use, being restricted by present zoning classification from the highest and best use of the property.

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

THIS IS TO BE FILED IN DUPLICATE

DATE FILED _____

INTENDED USE BEAUTY PARLOR

I/We KERMIT F. PERRIN, M.D.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an "R1" District to a/an "B1A" District the property described as follows: The 100.7 ft. x 128 ft. parcel of land located on the southeast corner of the intersection of South Anthony Boulevard and Pontiac Street has situated upon it a cape cod brick building and eighteen (18) paved parking spaces. This property, consisting of approximately 12,890 square feet of land, is presently being used as a Doctor's Office, and has been so used for approximately 40 years. The legal description of this property is: Lot Number 31 and Lot Number 32, in Pontiac Place Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 2701 South Anthony Boulevard.

(Legal Descrption) If additional space is needed, use reverse side.

See Attachment #1.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

KERMIT F. PERRIN, M.D.	2828 LAKE AVENUE FORT WAYNE, INDIANA	
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by FRED A. ADAMS

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE $50.00)

Name and address of the preparer, attorney or agent.

Fred Adams of Adams Real Estate	936 Oxford 46806	456-6115
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Lot Number 31 and Lot Number 32, in Pontiac Place Addition to the City of Fort Wayne, Allen County, Indiana, more commonly known as 2701 South Anthony Boulevard.

Owners of Property

(Name)	(Address)	(Signature)
KERMIT F. PERRIN	2828 Lakeside Fort Wayne	Kermit F. Perrin

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

9 January 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held December 22, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-80-11-07

2. From R-1 to B-1-A

3. Intended Use: Not Given

4. Plan Commission Recommendation: DO PASS as Perfected to an R-3

   This ordinance received a DO PASS recommendation with the following condition:

CONDITION: The ordinance be PERFECTED from a B-1-A to an R-3.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNTIY DEVELOPMENT & PLANNING

Mary F. Baeten

Mary F. Baeten
Senior Planner

GFB:pb

3040

Admn. Appr. _____

DIGEST SHEET

3-80-11-07

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots 31 & 32 in Pontiac Place Addition more commonly known as 2701 South Anthony Blvd.

EFFECT OF PASSAGE Property is now zoned R-1 - Single Family District. Property will become B-1-A - Limited Business District.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____